IN THE HIGH COURT OF BOMBAY AT GOA

WRIT PETITION NO. 17 OF 2006

SHRI MANGUESH UTTAM NAIK AND 2 ORS., ...Petitioners

Versus

SHRI KASHINATH UTTAM NAIK, PERNEM GOA. ....Respondent

Mr. J. P. Mulgaonkar, Advocate for the Petitioners.

Mr. P S. Rao, For Respondent.

Coram:- V.C. DAGA, J.

Date:- 23rd August, 2006

P.C.:

Heard,

Perused petition.

This petition is directed against the Judgment and Order dated 22.11.2005 passed by the Ad-hoc Addl. District Judge (Fast Track Court), Mapusa in Misc. Civil Appeal No. 6/2003. The appeal filed by the respondent came to be allowed in terms of the order impugned.

Having heard Mr. Mulgaonkar, the view taken by the Court below appears to be quite reasonable and possible view. No perversity in the view taken by the Court could be demonstrated by the petitioner. Consequently the petition is without any substance.

No case is made out to interfere with the said order impugned in the petition.

During the course of hearing, it is brought to my notice that Misc. Civil Application No.315/01/Leave/LRC; is pending before the Administrative Tribunal since more than five years, whereas the proceedings before the Joint Mamlatdar of Pernem bearing No. JM-I-TNC/14/03 are pending past more than three years. Hence directions for expeditious disposal of these proceedings are necessary.

In the above view of the matter, the Administrative Tribunal and Joint Mamlatdar, Pernem, are directed to dispose of the proceedings pending before them as expeditiously as possible, at any rate within one year from the date of communication of this order.

At the same time, the trial Court is also directed to dispose of the suit within one year from the date of receipt of the findings recorded by the Tenancy Court, to which the reference was made by the trial Court.

With the above directions, the petition is dismissed in limine, with no order as to costs.

V.C. DAGA, J.

sl.